29. (Once Amended) In an application that employs a nucleic acid encoding a chromo- or fluorescent protein, the improvement comprising:

employing a nucleic acid according to Claim 1.

30. (Once Amended) A kit comprising a nucleic acid according to Claim 1 and instructions for using said nucleic acid.

**REMARKS**

In the above amendments, Claims 24, 25 and 28 have been canceled and Claims 22, 26, 27, 29 and 30 have been modified to remove any multiple dependency.

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

The above amendments have been made solely to reduce the requisite filing fee. As such, the above amendments have not been made for reasons of patentability, i.e., in order to comply with any statutory requirements for patentability.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,
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Date: 2-25-02

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

22. (Amended) An expression cassette comprising:

(a) a transcriptional initiation region functional in an expression host;

(b) a nucleic acid selected from the group consisting of the nucleic acids according to ~~of Claims 1 to 21; and~~ Claim 1; and

(c) ~~and~~ a transcriptional termination region functional in said expression host.

Cancel Claims 24 and 25.

26. (Amended) A transgenic cell or the progeny thereof comprising a transgene selected from the group consisting of a nucleic acids according to ~~any of Claims 1 to 21~~ Claim 1.

27. (Amended) A transgenic organism capable comprising a transgene selected from the group consisting of a nucleic acids according to ~~any of Claims 1 to 21~~ Claim 1.

Cancel Claim 28.

29. (Once Amended) In an application that employs a nucleic acid encoding a chromo- or fluorescent protein, the improvement comprising:

employing a nucleic acid according to Claim 1. ~~Claims 1 to 21~~.

30. (Once Amended) A kit comprising a nucleic acid according to Claim 1 ~~Claims 1 to 21~~ and instructions for using said nucleic acid.